

App. 1 IX 4

Previous References

194
(Me)
No 79-41 831, 32, 34 + 35

File No 79-47
Serial Nos 41 + 42, 43

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Part B for July 43

SUBJECT

Supply of water to the Imperial Dairy Farm
from the Koramangala Tank

To the Secretary to the Honble the Resident in Mysore
Letter No Pol 182 of 23-7-43

States that the Govt of Mysore cannot admit the claim
of the Dairy Farm that they are entitled to the use
of the water from the Koramangala Tank and that however
the well, Bangalore - will be allowed to spare all
surplus water from the tank to the farm provided
they pay for the water so supplied on terms and
conditions to be mutually agreed upon by the authorities of
the farm and the well

J. M. S. S. S.
28.8.43

Letter No R 3 42-42/Judg 26-2 43 from
the Secretary to the Resident forwarding a copy
of letter received from the Director of Dairy
Research Bangalore bringing to notice
the ~~various~~ difficulties that are to be
experienced by the farm lands due to
the draining of the Koramangala Tank &
requesting necessary relief in the matter
of ^{the various sequences of the project} sub with a draft letter for appl

1044
23/13

U/K
2/3
1/12/43

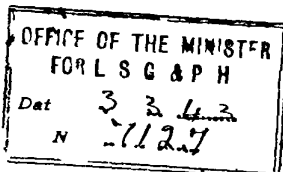
Lawsey J L
4/3/43

3 for approval

Forwarded to

Dewan

U/S
2-3-43
for



4) How the tank and the adjacent
land below come under our Res
units and are the ^{independently} ~~independently~~
dairy institute paying any
water rate for the use of the
water they are making the
question may also be, exam
in consultation with the De

5) put up with
sub with a draft letter for appl
U/K
11/3

U/S
4 3 43
10-3-43
for

2

5184 5600 56037

Continuation Sheet

me

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Page V

42 To the Dr of Health
The Chief Engineer Mysore
The ml Commr, Bdg,
No L 9527, 9528 & 23-3-43
Calls for his views on the proposal.

43 To the Dy Commr, Bangalore
No L 9530 & 23-3-43
Calls for some information
To the Rev Commr in Mysore
No L 9531 & 23-3-43

SusA (Culb)
27/3-

Forwards a copy of the above.
Letter No 18561 & 6-4-43 from the Chief Engineer
stating that the best way to ~~overcome~~
overcome the water supply difficulties to
the farm lands, is to arrange to supply
sewage water to the wells etc,
(Sub for perusal Information called for
from the Dr of Health, the ml Commr & the
Dy Commr, Bdg etc have not been
received.

A reminder since received from
the Residency is put up

10) A draft is put up for appl. After the
issue of the reminder, an acknowledgment
to the Residency will be sent

1) issue at once
2) put up with A & R now

TYPING SEC N
- 8 APR 1943
GEN & REV S CTT

Issued no L 10,000-1 & 10,002 } & 8/4/43

Drawing off the Karamangala tank and
6037 Luffly water to the Dairy
Institute

Continuation Sheet

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29

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3

13 ruled with a draft letter to the Residency for appl.
11/6
9/4
We the admission reply to the
residency may be approved
reminders have been issued to the
Mems concerned yesterday to send up
their names quickly

Lawrence 9/4/43

15 J. J. J. J. J.

Member L S G

16-4-43

12-6-43

13-4-43

17 J. J. J. J. J.

OFFICE OF THE MINIST R
FOR L S G & P H
Date 2 4 43
No 8505

TYPING SE N
15 APR 1943
GEN & P CTT

10 - The Secy to the Resident
no Pol 2096 of 16-4-43

States that the question is engaging
the attention of the Govt.

Letter no C 375-10 of 15-4-43 from the
Dy of Health stating that for the reasons
stated the Bangalore app ml cl will have
to decide the question as to whether they would
agree to spend the money for the benefit
of the Dairy farms & whether they would give the
quantity of water free of charge etc

18 subd for perusal. Reports called for from the
ml Commr, Bangalore and the Dy Commr, Bangalore

60370 6255

Continuation Sheet

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6

have not been received & they have been
reminded on 8-4-43

19) An interim reply has been sent to
the Residency to the effect that the
question is engaging the attention of
the Govt

20) The letter recd from the Director
16/4/44 of the Health in the subject
sub-perusal reply for the others
who were reminded in subject will be
dispatched

Law secy 16/4/43

21) For perusal

Acc

Number 56

16-4-43

from
18-6-43

18-6-43

Acc

19-4-43

from

Sis A
20/4/43

23) Letter No AB-4267/42-43 of 20-4-43 from
the Dy Commr, Bangalore SE stating that
the sub-division officer, Blore Sub-division has
reported that the Imperial Dairy Institute
has not been paying any water rate
for making use of the water from the tank
subject for perusal. The Dy Commr states
that the information as to whether the
Koramangla Tank and the attached

Draining of the Koramangala Tank
 62555/6341

Continuation Sheet.

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Page

are included in the revenue accounts of the said village has been called for from the same will be sent on receipt from the sub-divisional officers.

24) Report called for from the one Commr, Bory, has not been received and he will be reminded again on 5-5-43 if it is not received by that time

27 12772
 27 13
 30v

26/4

25) In person

Larsen from 26/4/43

26) Send a reminder

27 4-43

27/4/43

27) Subd with a draft reminder for a/cpl

26/4

28) J. H. H.

28/4/43

Issued no L 105 668 29/4/43

29) The one Commr was reminded on 29-4-43 No report has been received so far. Subd for orders.

27/5

30) 1) Pl put up a draft so reminder
 2) make B. H. H. be reminded

7/5/43

31) Subd with a draft reminder for a/cpl

27/5

32) J. H. H.

8/5/43

Issued no 108 425 10/5/43
 10843

TYPE SECTION
 28 APR 1943
 GEN & REV SECT

TYPE C SE
 21 MAY 1943
 GEI

6391567935 ⁶⁸²⁵ 6826 6942

Letter no AB 4267/42-43 D 11-5-43 from the Dy Commr, Bangalore is furnishing further information

33) subd It is reported that both the Koramangala Tank and its atchkal lands are included in the Revenue Accounts of the Koramangala Village, and that it is ascertained that the Imperial Dairy Institute has not been paying any water rate for making use of the water of the Tank in question

34) Reply from the ml commr is still due and he will be reminded on 17-5-43 if no reply is received by then

UKB m 14/5 35) pl put up the advertisement reply need from the ML Commr. already on the subject

36) subd

37) Advertisement reply received from the ml. commr. is sent up. The ml commr has been requested to submit his report early

UKB m 26/5

38) pl keep up for instructions
A detailed notice to be put up

26/5/43

Letter no CD C 1470/42-43 D 31-5-43 from the ml Commr, Bery, stating that the municipal council are not agreeable to any of the proposals made

(1) By the Dairy Farm

Drawing of Koramangala Tank
6942.5 7313
L

(7)

Continuation Sheet ml

File No
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of 4142

Page

"L"

- 39) Reports called for from the ⁽¹⁾ D e Pore Dr
(2) the Dr of Health, (3) Chief-Engineering Pore
P. W. & (4) the one Commr. Pore have
been received & they are put up in the
form of a statement

40) Subd for orders

UIC
21/6 JAV
22/6

Continuation Sheet

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of

Page

C

Supply water to the Imperial Dairy Farm (8)

Continuation Sheet

ml File No 79 ¹³¹⁷ of 41

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41) : In this office letter No Pol 161 dated 21st July 1942 the Residency were informed that it was the intention of the Government of Mysore to drain the Koramangala tank of its water permanently in order to abate the mosquito nuisance both in the City and C & M Station area and that in regard to the supply of water for irrigating the farm lands attached to the Imperial Dairy Institute, it was stated that these lands were above the water spread of the tank and are adjacent to it and do not come under the atchkat lands of the tank and that no water ~~is water~~ is being directly used for the farm lands from the said tank. It was also suggested that the three wells in the Institute ~~and as well as~~ derive their supply of water from the springs and the normal underground drainage even after ^{the} tank is depleted, as there would be ^a constant flow of water in the sewage ~~channel~~ and that in the event of a ^{apprehended} ~~comprehend~~ failure of water supply in the said wells, the difficulty could be overcome ⁽¹⁾ by excavating wells in the tankbed or behind the tankbund and installing pumps, and (2) ~~to~~ treat the sewage and supply ^{and} the existing wells ⁽³⁾ to use the treated sewage after the plant has been erected by the Bangalore City Municipality and put into working order in about 2 years. It was suggested that the expenditure on the above alternative would have to be incurred by the Imperial Dairy Institute, and that ^{if} the sewage water is to be used, the same will have to be purchased by making an arrangement with the Bangalore City Municipal Council.

42) All the above points are now contended by the Director of the Institute who states that the farm will no

1 supply of water to the Imperial Damp Farm

Continuation Sheet

ml

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7317

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not have sufficient supply of water unless sewage water is given direct from the main sewage tunnel. He states as follows against each of the above points -

(43) 1 It is not correct to say that the water is not supplied direct from the tank to the farm. On the other hand it is being directly used as the water is let into a sub tank ^{and diggs on the farm lands -} which forms part of the tank itself and from this, the water is let constantly by means of channels into the above three wells for irrigation purposes ^{and} ~~As well~~ it must be conceded that water is being taken directly from the tank

2 In regard to the point that wells are not likely to dry up owing to the constant flow of water in the sewage channel and the ^{presence of} moisture of the tank bed, it is stated that experience has proved otherwise ~~and that the~~ as with the diversion of the main channel the level of water in the wells has gone down and that the supply of water could be had from the wells only for a few hours. It is therefore requested that a sufficient quantity of water may be made available from the sewage channel direct.

3 In regard to our suggestion to improve the water supply by sinking wells in the tank bed or behind the tank bund and installing pumps, it is stated that such a measure would ^{not} ~~not~~ ^{imply} ~~entail~~ a large capital expenditure which the Government of India would not be able to provide during war ^{time} and that the necessary equipment for installing pumps ^{that} would be difficult to obtain and even then, it is not sure to get the necessary quantity of water.

4 It is suggested that the best way of overcoming the

Supply of water to the Imperial Dairy
7313
Ramlal

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me

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the difficulty is to treat the sewage and supply the existing wells and that no tapping should be allowed on the main sewage channel during ~~the~~ ^{its} course to the tank and that "a take off" for feeding the tank from the main channel will have to be considered when a pucca sewage is built over the main channel

43) It is pointed ^{out} that that the farm kaxd has drawn water direct from the tank from 1905, the date of its inception and that this ^{is} right of the farm should not be deprived by the depletion of the tank and if it has to be done, the sewage water should be supplied free of charge to ^{the} farm as soon as the sewage treating station is established. The Director of the Institute has therefore suggested that in order to enable the institute ^{to} supply fodder ~~from~~ its valuable dairy stock from which they have to supply a daily output of milk up to 7,000 pounds for the troops in Bangalore as an emergent war measure, the farm should be supplied with a sufficient quantity of sewage water from its main channel to meet the present demand ~~for~~ of water for the cultivation of the fodder; the sewage being properly treated before ^{is} ~~water being~~ let off from the tank. ~~The~~ ^{the} action ^{to} ~~should be taken~~ after the main sewage channel is built and the sewage plant is put into working order is also suggested

44) While forwarding the above requests of the Director of the Institute, the Hon'ble ~~the~~ Resident has requested that in view of the importance of the Institute and its farm in ^{the} the present emergency /requests may be complied with. It is also added that the farm must have been established

11) Supply water to the Imperial Dairy Farm
73(3)
Continuation Sheet File No 71 of 42 Page

owing to the proximity of the tank from which a regular supply of water could be drawn and that the farm has been drawing the water from the year 1905 and that in view of this right, the farm should be supplied with water free of cost from an alternative source in case the tank is drained as part of the sanitation scheme

(45) The Bangalore City Municipal Council who were consulted in the matter have resolved as follows -

Resolved that the Council does not accept the position that the Dairy Farm has depended on the water of the Koramangala Tank for the supply of water to its wells and that there is any obligation on the part of the Council to supply water to it. The Farm is not within the Atchkat of the tank. The tank has been breached in the interest of public health and convenience under Sections 142 and 159 of the City Municipalities Act¹⁹³³ for the removal of mosquito nuisance. The Council therefore is not agreeable to any of the proposals made by the Dairy Farm.

This was unanimously passed by the House "

(46) The Chief Engineer suggests that the best method of ~~supplying water is to overcome~~ the water supply difficulties to the farm lands is to arrange to supply sewage water to the wells. It has been ascertained from the Deputy Commissioner Bangalore District that the Imperial Dairy Farm has not been paying any water rate for making use of the water from the tank and that the Koramangala tank and its atchkat lands are included in the Revenue accounts of the Koramangala village, Bangalore South Taluk.

supply of water to the Imperial Dairy Farm

7312

Continuation Sheet

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(12)

47) It has not been stated anywhere in the correspondence that there is any written agreement between the Mysore Govt and the authorities of the Institute that water would be supplied free of cost to the farm. It is for consideration ^{whether} ~~after~~ the use of the water for about 40 years may be considered to be ^{as} one giving them a "right". The tank water belongs to the Mysore Government and ~~has~~ ^{was} no use so far being made out of it. It was perhaps unauthorisedly used for irrigating the farm lands by digging a sub tank ^{in the waste opening} and drawing the water ^{from} ~~supply~~ ^{the tank} from which the water is pumped on to the wells and used for the farm lands. When the water was diverted by breaching the tank, the supply seems to have ~~been~~ affected and now the question of 'right' is put forward. It is estimated that every day 2 millions gallons of sewage water run through the main channel out of which the farm requires only two lakhs of gallons. This sewage water now belongs to the Bangalore City Municipal Council and they are not willing to supply it free of cost, as seen from the above resolution. The Director of the Institute suggests that sewage water should for the present be supplied from the main channel after ~~at~~ treating. This means an establishment of a sewage tank and other equipment. The second point is that the tapping of this water by other gardeners along ~~with~~ the route of the main channel should be prevented. This ^{proposal} cannot also be accepted. The sewage water is now required for growing vegetables under the atchkat of the tank.

48) An estimate for Rs 14,000 for the formation of plots for ^{for vegetable gardening} leasing them out to cultivators has been submitted for

sanction and action has already been taken by the Bureau of Sanitary Engineering to lay out the plots make roads etc if the sewage water is now allowed to the Imperial Dairy Farm the supplies to the vegetable gardeners would be ^{seriously} adversely affected and the lessees would also complain

(49) Points for orders

1 Whether the use of the water for 40 years without permission constitutes a right and whether it could be recognised now

2 Whether ^{the} Government of Mysore are bound to supply water in the absence of any agreement to the farm lands from an alternative source ^{the} in case tank is depleted and water for irrigating the farm lands is found insufficient

3 ~~Whether~~ whether a sufficient quantity of sewage water may be allowed from the main channel at present without treating it *The Bureau of H.E. is not willing to allow it free of cost*

(50) As, however, it has ^{been} pointed out that the cultivation of the farm lands would be affected unless the water is supplied during this emergency ^{as a} war measure, it is a point for consideration, whether a small quantity of sewage water may not be supplied to the sub-tank ^{referred to} for the duration of the war and the entire position reviewed after the war is over

(51) A & may be considered *Law Dept* *28/6/43*
 on the basis of above

(52) *29-6-43*
 Forwarded with Compliments to the Advocate General in Mysore for furnishing of opinion on

260.393/42
27/6/42
2nd 1/10/42

3/7/42
2nd 1/10/42

Ans No 3
43-44
On 5-7-43



53) Point 1 referred to me for opinion may be put in legal form thus Did the enjoyment of the benefit in question by the Imperial Dairy Farm for some 40 years, create in them a title to the benefit by virtue of Art 144 of the Limitation Act, which runs thus "For possession of any interest in immovable property, 12 years (from the date) when defendant's possession becomes adverse to the Plaintiff". The answer is an emphatic no, as, firstly, if either party had to file a suit in the matter, such a suit would not be a suit for possession, whatever else it might be, and, secondly, the enjoyment of the benefit by the Imperial Dairy Farm was on sufferance and never under a claim of right, and so was never adverse ~~XXXX~~ Vide 4 Bom L.R., 721

54) The enjoyment falls under the denomination of "easement" as defined in S 6 of the Indian Easements Act, (V. of 1882) and is provided for in S 15, para 3, of the Act which runs thus Where a right of way or any other easement has been enjoyed by any person claiming title thereto, as an easement, and as of right, for 20 years As the ingredients comprised in the underlined phrases are totally lacking in this case, the Imperial Dairy Farm has acquired no such easement

55) To sum up. the Imperial Dairy Farm has not by reason of its long enjoyment of the benefit in the circumstances in question. acquired any legal right for the continuance of such enjoyment

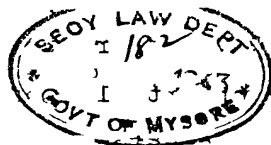
Ans
6-7-43

56) The answer to the above question is that the Imperial Dairy Farm cannot claim the benefit in question, the other points referred to

14)

Continuation Sheet

Supply of water to the Imperial Dairy Farm
 File No 59 of 41-42 Page 7 2/3
 Current No



in paras 4.9, 50 of the notes
 + Supra are for orders - reformation

57 Supra

Law Dept for
 6/7/43

(3) I agree with the Advocate-
 General on the question of Law

(5) The Dairy Farm acquired
 no right to the use or supply
 of water

(5) Only once water may be
 allowed to be used provided
 payment is made for the
 same for a definite period
 without any understanding
 that there would be continuous
 or unfailing supply

Mun. Bd. S. G.
 &
 D. W. R.

W. S.
 8-7-43
 for 7743

(6) a draft reply may be put up
 regretting inability to accept the
 stand taken up by the Director of the
 Dairy Farm and the Residency in
 the matter and stating that the
 Govt. would advise the Municipality
 Council to spare surplus sewage water

E
 22 JUL 1943
 NC 460

OFFICE OF THE SECRETARY
 FOR LANDS & P.H.
 D to 21 7 43
 No 598

for the use of the Dairy Farm
 provided the Imperial Dairy Institute
 is agreeable to pay for the supply on
 the terms to be mutually agreed to by
 the Trust Council and the authorities of
 the Dairy Institute

14
 12 7 43

Aug 7-43
 13 7 43

617

617 with a draft letter for appl.
 62) A typed revised draft is
 submitted for approval, in accordance
 with the above orders

Developed by 19 7 43

Allen, L.S.G.)

Bewar)

Ce
 207
 207/103
 14
 21 7 43

22/7/43

207

Today 207/103

SECTION
 1943
 GEN & REV

To The Secretary the President
 No Dec 182 3 23-7-43
 It wishes a reply in the matter

B
 247

Continuation Sheet

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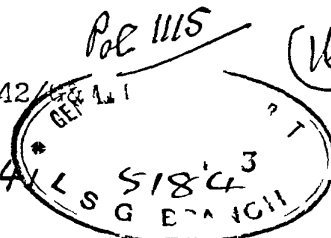
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Th ply t th comm
sat heuld b dd d to
th S t y to the Res d t
in My re, B gal re, by
d gnat d t by name.

No R # 47-42/44

My 79-41-4



FROM

THE SECRETARY

TO THE HON BLF THE RESIDENT IN MYSORE

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore

Dated Bangalore the 26 Feb 1943

Draining of the Koramangala tank adjoining
the land occupied by the Imperial Dairy
Institute on the Hosur Road

SIR

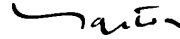
I am directed to refer to your letter No Pol 161/
79-41, dated the 21st July 1942, and to forward a
copy of a letter from the Director of Dairy Research,
Bangalore, No C/27 of 1942, dated the 12th February
1943. In view of the great importance of the Institute
and its farm in the present emergency, the Hon'ble the
Resident would be grateful if the Government of Mysore
could kindly see their way to comply with the request
of the Director

2 It is obvious that a farm like that of the
Imperial Dairy Institute cannot exist without a
sufficient supply of water. It must be conceded that
the proximity of the Koramangala tank, from which a
regular supply of water could be obtained, must have
been the main consideration when selecting the present
site for the farm. The farm has been drawing water
from the Koramangala tank from the very beginning of its
existence, which dates from 1905, and the Hon'ble the
Resident therefore feels that it is only reasonable
that when the tank is drained as a part of a sanitation
scheme,

17)

scheme, the Institute should be supplied with water from an alternative source and should not be asked to pay for it

I have the honour to be,
Sir,
Your most obedient servant,



SECRETARY TO THE RESIDENT



Tcn

19)

- 2 -

(1) To excavate wells in the tank bed or behind the tank bund and install pumps. Such a scheme would not only be a very expensive one but also, as pointed out above, the Government of India would not be able to provide, but even if money were forthcoming the necessary equipment would be very difficult to obtain. It is a very problematic if such wells could produce a necessary quantity of water required for irrigation purposes.

(11) "To treat the sewage and supply the existing wells. This proposition appears somewhat feasible. It is to be noted that the supply of irrigation water to the area is carried out at present by a channel which is now being allowed to run dry. It is suggested that a "trench" for feeding this channel should be built from the main sewage channel. This will rise a short distance and then run over the top of the channel. In this way the water will continue to flow in the channel as at present.

(111) "To use the treated sewage after the plant has been erected by the Bangalore Municipality and put into working order in about 2 years. If under this scheme the sewage does not rise to the level of the treated sewage for irrigation of crops, the Imperial Dairy will perhaps be the most satisfactory solution to the problem but, it is to be seen if justification for the Imperial Dairy Institute being called upon to pay for such supply of water, when a sewerage of right the firm has continued draining under the sewer direct from the tank. It is to be noted from its inception in 1905. If this is to be derived of this right by the completion of the tank, the right should be compensated for this loss and I suggest that the best way would be to provide the sewage water free of charge to the Imperial Dairy and vice versa the station is established.

3. In view of what has been said above, it will be seen that the Imperial Dairy Institute is not only deprived of its right to obtain free supply of water from the tank but also its requirements are not met. It is in a difficult position with regard to the supply of fodder for its valuable dairy stock. This situation is going to be further aggravated now that the Imperial Dairy Institute has been called upon by the Service Department to increase its daily output of milk from 2000 to 2500 lbs. or the tanks in Bangalore. It is suggested that the Government should request that it would be so good as to order to the Government of Mysore the difficulties mentioned above and arrange to obtain for the Imperial Dairy Institute the following:-

(a) Sufficient quantity of sewage or treated sewage in a channel to meet the present demands for the irrigation of the crops or the cultivation of the fodder crops. This sewage or treated sewage can be obtained if it is let off the main channel leading to the subject (or ligament) of the channel as suggested in alternative (2) in the proceedings of the meeting of the Committee held by the Chief Engineer on 13th July 1942.

(b) A "table of" from the main sewage channel when it is built in by a sewer sewer. And

(c) Sufficient quantity of treated sewage or sewage of charge if and when a sewage plant is put into working order. Contained in it in (c) of the proceedings of the meeting above referred to.

4. It will be further noticed that this case is of importance not only of urgent importance, in view of the fact that the Government of India is in connection with the war effort in the East, but also in connection with the war effort in the East, for the Imperial Dairy Institute produces a large quantity of dairy product for the troops in Bangalore by the Service Department.

SA
12

Appendix F G-11

SUBJECT

WCP

Diary No of letter replied to

General and Revenue Secretariat

()

the 194

Date of issue

23/3

Signed by

M. L. R. Rao
T. S. pl make 5 copies

T. S.

pl make 5 copies

List of enclosures

Coded by

Examined by

favor fast
made them for
supplying with so
the supply
the supply
the supply

DM

Section *ml*

File No 79-41

Serial No *42*

No L95-27

To

The D. of P. Health

The Chief Engineer of Mysore P.W.D.
wherever possible
to be made

I am directed to forward

herewith copy of letter NO R-3 47-42
of 26-2-43 received from
the Secretary to the Honorable
the Resident in Mysore, P.W.D.
together with a copy of its
enclosure in the matter of the

Drawing of the Koramangala
to the supply of water to the municipal
Park and to request you

to be so good as to forward
with your views on the proposal
a report in the matter very early
for being sent to the Resident
The matter may be
kindly treated as

immediate from
W. S. Rao
43 Law Dept.

1833
6/4/1943
122
MEMORANDUM
To
The Secretary to Government,
Law Department, Bangalore.
7/4/43
Ans.
From
The Chief Engineer of Mysore,
Public Works Department,
Bangalore.
Draining of the Koramangala tank and the supply of water to the Imperial
Daily Institute
6007/1

1 37 Sir,

With reference to your letter No L 9528/M1 79-41-43 dated 23-3-43 on the above subject, I have the honour to state that the best way to overcome the water supply difficulties to the Farm lands, is to arrange to - - supply sewage water to the wells The Director of Public Health may also be kindly consulted in the matter

I have the honour to be,
Sir,
Your most obedient servant,
e 7/4/43
CHIEF ENGINEER OF MYSORE
102
3/4

KS/3-4

MEMORANDUM

Reply from

To

193 2

7

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

To

10/1/43 dated 10/1/43

From

The Secretary to the Government of His Highness
the Maharaja of Mysore

To The Department.

The Draft shall
The Chief Engineer
Mr. The Commr. Bangalore

I am directed to forward herewith copy of
letter No. G.P. 41-42/Judl. dated 26th February 1943
received from the Secretary to the Hon'ble the Resident
in Mysore, Bangalore, together with a copy of its
enclosure in the matter of draining of the Koramangala
area and the supply of water to the Imperial Dairy
Institute and to request you to be so good as to favour
Government with your view on the proposal made therein
for supplying water to the Imperial Dairy Institute.

The matter may be kindly treated as immediate

I have the honour to be,
Your most obedient servant.

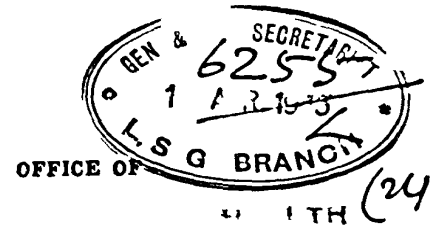
(Draft)

for Secretary to Government.
Law Department

A.B./1.

F No 45]

GOVERNMENT OF MYSORE



71 8 am
ph

No C 375-10
Encls

THE DIRECTOR

Date April 13, 1943
15

To

The Secretary to Government,
Law Department, Bangalore

ml 79-42-

Sir

With reference to your letter to L 3527/M1 79-41-42 dated 22/23rd March 1943, I have the honour to inform that the points raised in the letter are (1) a legal point whether the Imperial Dairy Farm has a right for the water and whether they have gained this right by previously making the arrangements with the Municipality or with the Government and (2) secondly a request is made to make necessary arrangements at the cost of the Municipality and supply the Dairy Farm with the required quantity of treated sewage free of cost. As regards the first point I am not in a position to give any opinion. Even as regards the second point the sewage disposal works and the outfall works will be under the charge of the Department until they are completed and they are the property of the Municipality. Whether the Municipality would agree to spend the money for the benefit of the Dairy Farm and whether they would give the quantity of water free of charge will have to be decided by the Municipal Council.

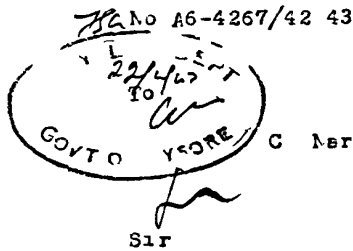
I have the honour to be,

Sir,

Your most obedient servant,

O. Ganthony
Director of Public Health

KAJ



Office of the Deputy Commissioner
Bangalore District
Dated Bangalore 20th April 1943

REV 8EC112
6591-1
S G PR

G Narayanaswami Iaidu Esq B A B L
Secretary to the Government of Mysore
Law Department Bangalore

Subject Draining of Koranangale tank Bangalore
Taluk and representation of Imperial Dairy Institute

With reference to your letter No L 9530/M L 79 41 42
dated 22/23rd March 1943 asking for certain particulars on the
above subject I have the honour to state that the Sub Division
Officer Bangalore Sub Division has reported in his No M BI-
1195/42 43 dated 3th April 1943 that the Imperial Dairy Institute
has not been paying any water rate for making use of the water from
the tank He has not furnished the information as to whether
the Koranangale tank and the atchket are included in the Revenue
Department accounts of the said village He has been called upon
to furnish a report on the point On hearing from him I shall
write to you again

I have the honour to be
Sir
Your most obedient servant

[Signature]
Deputy Commissioner
Bangalore District

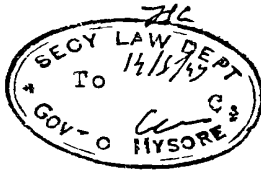
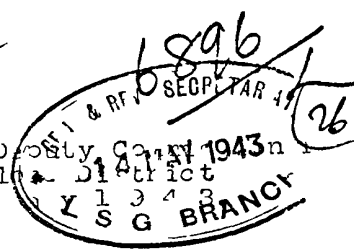
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supp. - attached

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216 1257/ 2-43

Office of the Deputy Commissioner
Banalore District
Dated 11th May 1943



My name is Vidu sa, B A, B L,
Secretary to the Government of Mysore,
Law Department, Bangalore

Sir, *h*

Drainage of the Koramavala Tank
Banalore (South) Taluk

With reference to your letter No L 9530/11/5
79-41-42 dated 22/23rd April '43, on the above subject,
in continuation of my letter of even No dated 21st
April '43, I have the honor to state that the Sub
Divisional Officer, Banalore, reports that both the
Koramavala Tank and its catchment lands are included
in the Revenue Accounts of Koramavala village,
Banalore South Taluk and that it is so stated that
the Imperial Dairy Institute has no objection
to the rate of maintenance of the water of the tank in
question.

I have the honor to be,

Sir,
Your most obedient servant,

G. A. B. R. S.
For Deputy Commissioner
Banalore District
absent from station

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BANGALORE CITY MUNICIPALITY

No C2-C 1470/42-43

MUNICIPAL OFFICE

Bangalore 31st May 1943

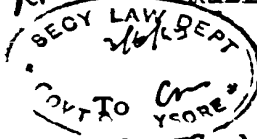
Encl One

FROM P Suryanarayana Setti, Esq, B A, LL B,

~~ADDL XAZIZ KHAN ESQ~~

MUNICIPAL COMMISSIONER

Bangalore City



TO C Narayanaswamy Iaiou, Esq, B A, B L,

SECRETARY TO THE GOVERNMENT

OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

LAW DEPARTMENT BANGALORE

SIR

With reference to your letter No L 9529/111 79-41-43 dated the 22/23rd March 1943, in the matter of draining of the Foreman-gala Tank and supply of water to the Imperial Dairy Institute, I have the honour to state that the matter was considered by the Municipal Council at their meeting held on 25-5-1943. They have resolved that the Council does not accept the position that the Dairy Farm has depended on the water of the Foreman-gala Tank for the supply of water to its wells, that there is any obligation on the part of the Council to supply water to it and that they are not therefore agreeable to any of the proposals made by the Dairy Farm. A copy of the Council resolution is herewith forwarded for favour of orders of the Government.

I have the honour to be,
Sir,
Your most obedient servant,

Forwarded with compliments

V K Sundarajulu

P Suryanarayana Setti
Municipal Commissioner

Proceedings of the adjourned ordinary general meeting of the
City Municipal Council, Bangalore held on Tuesday the 25th
May 1943

Drainage of the Koramangala Tank as a Sanitary measure
and the request of the Imperial Dairy Institute for certain
facilities in respect of the supply of water to their Farm
lands

The President moved the following resolution

Resolved that the Council does not accept the position
that the Dairy Farm has depended on the water of the Koramangala
Tank for the supply of water to its wells and that there is any
obligation on the part of the Council to supply water to it
The Farm is not within the catchment of the tank The tank has been
breached in the interest of public health and convenience under
Sections 142 and 159 of the City Municipalities Act for the
removal of mosquito nuisance The Council therefore is not
agreeable to any of the proposals made by the Dairy Farm

This was unanimously passed by the House

Sd V. Govindarajulu,
Hon President

'Copy'

P. Srinivasan
Municipal Commissioner

mlt

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Proceedings of the adjourned meeting of council held in the City
Municipal Offices, Bangalore City on Tuesday the 25th May 1943 at 4 P M.

Present

V K Govindarajulu, Esq , B A , B L ,
Hon President

Messrs

- 1 R Subbanna
- 2 T L Gangoji Rao
- 3 Ramalal Thiwari
- 4 V Venkataramanaappa
- 5 G Nanjappa
- 6 T Gangadharaswamy
- 7 V Venkatasamy Chetty
- 8 K Ganga Setty
- 9 K N Ramaswamy, B A
- 10 C N Narasinga Rao, B A , B L
- 11 M A Gobalaswamy Iyengar, M A , LL B

Messrs

- 12 P R Ramiah
- 13 C Krishna Rao
- 14 M K Narayana Iyengar, B A B L
- 15 B Subbiah, B Sc , LL B
- 16 Mohamed Ghouse
- 17 Mirza Azeezulla Belg
- 18 A R A Basith
- 19 F B Mohamed Khan
- 20 Dr I D Royan, M D

Absent

Messrs

- 1 V H Hanumanthappa
- 2 L S Raju, M A (Hons) B L ,
- 3 K Hanumanthaiya, B A , LL B
- 4 B S Shanarappa Setty

Messrs

- 5 F Shamarajaiengar, B A
- 6 H R Guruv Reddy, B A , LL B ,
- 7 M Krishnaswamy Pillay
- 8 Iota Kamakshiah Setty
- 9 Mr V Chikkayellappa

10/1/43

NO Pae 182

ME 79-21-

723.7 43
(30)

To

The Secretary to the Hon'ble the Resident
in Mysore

Subject - Draining of the Koramangala tank
and supply of water to the adjoining
lands belonging to the Imperial Dairy
Institute Farm on the Hosur road

Sir,

With reference to the correspondence ending with your letter No R F 47-42/G&A, dated 19th June, 1943, on the above-mentioned subject, I am directed to state that the question of the ^{alleged} right of the Imperial Dairy Institute Farm to the use of the water of the Koramangala tank for the irrigation of the Farm lands has now been examined. The Govt of Mysore ^{has been unable to accept the contention of} regret to find that the Director of the ^{Imperial Dairy} ~~Reserve the the Farm - and the~~ Farm should put forward a claim for the free supply of water from the tank as a matter of right in ^{fact} virtue of the fact that the ^{has} Farm had been in the enjoyment of this ^{benefit} ~~from 1905~~ for many years. ^{The fact is that the Farm has} An examination of the question in its legal and other aspects shows, however, that the Farm had been using the ^{as this time} water of the tank ^{and} more on sufferance than on ^{and as a matter of right} any other ground and never under a claim of right, and that at all events, ^{therefore} it has ^{never} required no legal right to the continuance of such ^{a privilege} free supply. ^{The Govt would however,}

In the circumstances, the Govt. I am to say, regret that they are unable to accept the position taken by the Director in this matter, but they would be prepared to

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advise the City Municipal Council of
Bangalore, to whom the sewage water belongs,
to spare all the surplus water for the use
of the provided the authorities of
the Farm agree to pay for such supply on
terms to be mutually agreed upon between
them and the Municipal Council

I have etc ,

Ca
20/7

Secretary to Government,
Law Department

frr

(32)

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated Bangalore 23rd July 1943.

No *Pol 182*

FROM

*The Secretary to the Government of His Highness the Maharaja of Mysore
Development Department.*

TO

*The Secretary to the Hon ble the Resident in Mysore
Bangalore*

Subject - Draining of the Koramangala tank and supply of water to the adjoining lands belonging to the Imperial Dairy Institute Farm on the Hosur Road.

Sir,

With reference to the correspondence ending with your letter No. R.F. 47-42/G & A., dated, the 13th June, 1943, on the above subject, I am directed to state that the question of the alleged right of the Imperial Dairy Institute Farm to the use of the water of the Koramangala tank for the irrigation of the Farm lands has now been examined. The Government of Mysore regret that they are unable to accept the contention of the Director of Dairy Research that the Farm is entitled to the free supply of water from the tank as a matter of right in view of the fact that it has been in the enjoyment of this privilege from 1905. The fact is that the Farm has been using this water all this time on sufferance and not as a matter of right. It has, therefore, acquired no legal right to the continuance of such a privilege. The Government would, however, be prepared to advise the City Municipal Council of Bangalore, to whom the sewage water belongs, to spare all the surplus water for the use of the Farm, provided the authorities of the Farm agree to pay for such supply on terms to be mutually agreed upon between them and the Municipal Council.

I have the honour to be,
Sir,
Your most obedient servant,

Secretary to Government,
Development Department.

JM